

Article - Environment

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§5–514.

(a) (1) In addition to being subject to an injunctive action under this subtitle, a person who violates any provision of this subtitle relating to water appropriation and use or any rule, regulation, order, or permit adopted or issued under any such provision is liable for a civil penalty not exceeding \$5,000 per violation to be collected in a civil action brought by the Department.

(2) Each day a violation occurs or continues is a separate violation under this subsection.

(3) (i) Before bringing a civil action against a local government under this subsection, the Department shall meet and consult with the local government to seek an alternative resolution to the contested issue.

(ii) Prior consultation by the Department with the local government shall constitute compliance with this subsection.

(b) A person who violates a provision of this subtitle or a regulation adopted under this subtitle is subject to the penalties provided in § 9–343 of this article.

(c) All funds collected by the Department under this section, including any civil penalty or any fine imposed by a court under the provisions of this section, shall be paid into the Maryland Clean Water Fund.

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